

REMARKS

Reconsideration of the subject application is earnestly solicited.

Claims 183 through 209 and 223 through 249 are pending, with Claims 183, 191, 199, 223, 231, and 239 being independent.

Applicant wishes to thank the Examiner for the courtesies extended in granting and conducting on October 28, 2003, a personal interview with Applicant's representative. At the interview, Applicant's representative and the Examiner discussed:

- (a) the outstanding rejection of the claims under 35 U.S.C. § 103 over

U.S. Patent No. 5,755,404 (Numbers) in view of "AlliedSignal's Augmented Forced-Air Deicing (AFAD)," AlliedSignal Aerospace (October 22, 1996), which is respectfully traversed;
- (b) a Declaration Under 37 C.F.R. § 1.132 by Applicant that addresses the AlliedSignal document by pointing out that the statement in that document relied upon by the Official Action describes Applicant's own work, thereby precluding reliance thereupon under 35 U.S.C. § 102(a) per MPEP 2132.01; and
- (c) the deletion of Mr. Pearson as a named inventor.

It was tentatively agreed that the Declaration would obviate the rejection, and the Declaration is being filed herewith. Favorable consideration is earnestly solicited.

The Official Action notes that the claims have been copied in modified form from U.S. Patent No. 6,209,823 (Foster '823), and states that since there are different limitations, a declaration of interference is not deemed proper. As discussed at the interview, Applicant respectfully traverses this statement, and submits that a declaration of interference would be appropriate. In particular, if the subject application has an allowable claim that anticipates or renders obvious a claim of Foster '823, and the Foster '823 claim anticipates or renders obvious the application claim, then interfering subject matter exists and an interference should be declared. 37 C.F.R. § 1.601(n). Applicant respectfully submits that such is the case here, and proposes to submit a Request for Interference in due course. In the meantime, if the Examiner reaches this case for action prior to receipt of the Request for Interference, the Examiner is requested to telephone the undersigned before acting on the subject application.

Applicant's undersigned attorney may be reached by telephone at
(202) 530-1010. All correspondence should be directed to the address listed below.

Respectfully submitted,



Attorney for Applicant

Daniel S. Glueck

Registration No. 37,838

Honeywell International Inc.
Patent Services AB-2B
101 Columbia Road
P.O. Box 2245
Morristown, NJ 07962
Telephone: (310) 512-4886
Facsimile: (310) 512-3857
DSG

DC_MAIN 150180v1